

UNCORRECTED PROOF

JOURNAL OF THE HOUSE.

Monday, February 4, 2008.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, our Creator, in Whom we place our trust and hope, we believe that Your always available assistance helps us, at all times, to select our most rational and honorable legislative and personal options. During the course of the day, inspire us to pause for a moment to consider and to reflect on the importance and consequences of our decisions. In Your goodness, bestow upon us the wisdom to dialogue and to work together with constituents and associates in resolving complex and difficult matters in these changing times. Grant us the courage to seek the best, perhaps not the easiest resolutions of current and future proposals. Teach us to define and promote the common good in our struggle to serve the public interest.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Message from the Governor.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2008 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4511) was filed in the office of the Clerk on Friday, February 1.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Messrs. Calter of Kingston, Canessa of New Bedford and Straus of Mattapoisett) congratulating Timothy P. Green on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Ms. Peake of Provincetown) congratulating Ruth Hardy Foster on the occasion of her one hundredth birthday; and

Resolutions (filed by Mr. Ross of Wrentham) congratulating Cody Robert Carneiro of Wrentham upon his elevation to the rank of Eagle Scout;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Hynes of Marshfield, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

A Bill for a healthy Massachusetts safer alternatives to toxic chemicals (Senate, No. 2481) (on Senate bill No. 2479), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

A Bill relative to designating volleyball as the official recreational and team sport of Massachusetts (Senate, No. 2004) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Report of the committee on State Administration and Regulatory Oversight on Executive Reorganization Plan No. #1 of 2008.

Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on the Reorganization Plan No. #1 of 2008 (submitted by the Governor under the provisions of Article LXXXVII of the Amendments to the Constitution) relative to reorganizing certain education agencies (see House, No. 4488) [for majority report see Senate, No. 2482],-- reported, in accordance with a provision of Joint Rule 23A, recommending that said Reorganization Plan No. #1 "ought to be approved".

Placed in the Orders of the Day for the next sitting, the question being "Shall this reorganization plan be approved?".

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Robert Clavin for legislation to authorize the taking of striped bass by spearing. To the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill) of Joyce A. Spiliotis for legislation to establish a sick leave bank for Carol A. Wall, an employee of the Department of Mental Retardation. To the committee on Public Service.

Petition (accompanied by bill) of George N. Peterson, Jr., for legislation to designate a certain bridge over Depot Street in the town of Grafton as the Private Walter Ermak Bridge. To the committee on Transportation.

Under suspension of the rules, on motion of Ms. Provost of Somerville, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Scaccia of Boston, for the committee on Rules, asking to be discharged from further consideration of the Order relative to authorizing the committee on Financial Services to make an investigation and study of a certain House document concerning physician evaluation programs by insurance companies (House, No. 4174), - - and recommending that the same be recommitted to the committee on Financial Services. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Verga of Gloucester, for the committee on Veterans and Federal Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3695) of Bruce J. Ayers relative to certain sales tax exemptions for veterans' organizations, - - and recommending that the same be referred to the committee on Revenue. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Kulik of Worthington, for the committee on Health Care Financing, on Senate, Nos. 651 and 1213 and House, No. 1162, a Bill relative to financial incentives for primary care physician recruitment (House, No. 4514). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Rodrigues of Westport, for the committee on Consumer Protection and Professional Licensure, on House, No. 4292, a Bill relative to substantial equivalency and oversight (House, No. 4515). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the Bill amending certain health insurance options for municipal retirees (House, No. 2728) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4516).

By the same member, for the same committee, that the Bill relative to healthy cosmetics (House, No. 4347, changed) ought to pass with an amendment in section 1, in line 29, by inserting after the word "misbranded", the following: ", as defined by sections 601 and 602 of the Federal Food, Drug and Cosmetic Act, 21 U. S. C. sections 361 and 362".

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendments pending.

By Mr. Rodrigues of Westport, for the committee on Consumer Protection and Professional Licensure, on House, No. 4429, a Bill authorizing the town of North Andover to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4517).

Mrs. Walrath of Stow, for the committee on Health Care Financing, on House No. 1144 (as relates to sections 1, 5, 6, 8 and 9), reported, in part, a Bill relative to nurse anesthetists (House, No. 4518).

By the same member, for the same committee, on Senate, No. 69 and House, No. 1151, a Bill relative to caregiver medical and educational consent (House, No. 1151, changed).

By the same member, for the same committee, on a petition, a Bill relating to expanded access to managed care for MassHealth beneficiaries (House, No. 1169).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

House bills

To authorize codes of conduct for players, coaches, officials, and parents in athletic settings (House, No. 553);

Relative to the conservation commission of the town of West Stockbridge (House, No. 4100) [Local Approval Received];

Relative to the retirement and health insurance of certain elected officials in the town of Tyringham (House, No. 4287) [Local Approval Received];

Validating the actions taken at the May 4, 2005 annual town meeting held by the town of Phillipston (printed in House, No. 4438); and

Relative to the charter of the town of Medway (House, No. 4460) [Local Approval Received]; Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to town meeting members in the town of Framingham (House, No. 4432) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill conveying land from the town of Plainfield to the Plainfield Congregational Church (House, No. 4474) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bill.

The engrossed Bill designating a certain bridge in the town of Dalton as the Benjamin-Muraca Memorial Bridge (see House, No. 3503, changed and amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Thomas D'Intinosanto, an employee of the Department of Mental Retardation (Senate, No. 2349, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Order.

On motion of Mr. DiMasi of Boston,--

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Wednesday next at eleven o'clock A.M.